

FREE CONFERENCE COMMITTEE REPORT

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The Free Conference Committee on **SB 131** has met as provided in the Rules of the House and Senate and hereby reports the following to be adopted:

_____ GA _____ SCS X HCS

For the above-referenced bill, with these amendments (if applicable):

Committee (list by chamber and number): _____;

Floor (list by chamber and number): HFA 4; and

The following Free Conference Committee action:

On page 27, after line 24, by inserting the following:

"➔Section 17. KRS 186.450 is amended to read as follows:

(1) A person who is at least sixteen (16) years of age may apply for an instruction permit to operate a motor vehicle. A person who possesses a valid intermediate motor vehicle operator's license issued under KRS 186.452 or a person who is at least eighteen (18) years of age may apply for an instruction permit to operate a motorcycle. A holder of either a motor vehicle or motorcycle instruction permit may also operate a moped under that permit. A person applying for an instruction permit under this section shall make application to the Transportation Cabinet. A person applying for an instruction permit shall be required to comply with the following:

(a) If the person is under the age of eighteen (18), the instruction permit application shall be signed by the applicant's parent or legal guardian. If the person does not have a living parent or does not have a legal guardian, the instruction permit application shall be signed by a person willing to assume responsibility for the applicant pursuant to KRS 186.590;

(b) If the person is under the age of eighteen (18) and in the custody of the Cabinet for

- 1 Health and Family Services, the instruction permit application shall be signed by:
- 2 1. The applicant's parent, legal guardian, grandparent, adult sibling, aunt, or uncle
 - 3 if the parental rights have not been terminated in accordance with KRS Chapter
 - 4 625;
 - 5 2. The foster parent with whom the applicant resides;
 - 6 3. Another person who is at least age eighteen (18) and is willing to assume
 - 7 responsibility for the applicant pursuant to KRS 186.590; or
 - 8 4. The applicant, without another person, upon verification by the Cabinet for
 - 9 Health and Family Services in accordance with KRS 605.102 that shall include
 - 10 proof of financial responsibility in accordance with KRS 186.590(2); and
- 11 (c) All applicants for an instruction permit shall comply with the examinations required
- 12 by KRS 186.480.
- 13 (2) If an applicant successfully passes the examinations required by KRS 186.480, the
- 14 applicant shall be issued an instruction permit upon payment of the fee set forth in KRS
- 15 186.531.
- 16 (3) (a) An instruction permit to operate a motor vehicle shall be valid for three (3) years and
- 17 may be renewed. An instruction permit to operate a motorcycle shall be valid for one
- 18 (1) year and may be renewed one (1) time.
- 19 (b) Except as provided in KRS 186.415, a person who has attained the age of sixteen (16)
- 20 years and is under the age of eighteen (18) years shall have the instruction permit a
- 21 minimum of one hundred eighty (180) days before applying for an intermediate
- 22 license and shall have an intermediate license for a minimum of one hundred eighty
- 23 (180) days before applying for an operator's license.
- 24 (c) A person who was under eighteen (18) years of age at the time of application for an
- 25 instruction permit and is eighteen (18) years of age or older shall have the instruction
- 26 permit a minimum of one hundred eighty (180) days and complete a driver training
- 27 program under KRS 186.410(4) before applying for an operator's license.

- 1 (d) A person who is at least eighteen (18) years of age and is under the age of twenty-one
2 (21) years at the time of application for an instruction permit shall have the
3 instruction permit a minimum of one hundred eighty (180) days before applying for
4 an operator's license.
- 5 (e) A person who is at least twenty-one (21) years of age at the time of application for an
6 instruction permit shall have the instruction permit a minimum of thirty (30) days
7 before applying for an operator's license.
- 8 (f) In accordance with KRS 15A.352(5), a person whose motorcycle instruction permit
9 has expired may apply to the cabinet to receive a motorcycle operator's license or
10 endorsement if the person presents proof of successful completion of a motorcycle
11 safety education course approved by the Justice and Public Safety Cabinet under KRS
12 15A.350 to 15A.366.
- 13 (4) (a) A person shall have the instruction permit in his possession at all times when
14 operating a motor vehicle, motorcycle, or moped upon the highway.
- 15 (b) When operating a motor vehicle, a motor vehicle instruction permit holder shall be
16 accompanied by a person with a valid operator's license who is at least twenty-one
17 (21) years of age occupying the seat beside the operator at all times.
- 18 (c) The requirements of paragraph (b) of this subsection shall not apply to a motor
19 vehicle instruction permit holder being supervised on a multiple-vehicle driving range
20 by a driver training instructor affiliated with a driver training school licensed under
21 KRS Chapter 332 or a public or nonpublic secondary school.
- 22 (5) A person with an instruction permit who is under the age of eighteen (18) shall not operate
23 a motor vehicle, motorcycle, or moped between the hours of 12 midnight and 6 a.m. unless
24 the person can demonstrate good cause for driving, including but not limited to
25 emergencies, involvement in school-related activities, or involvement in work-related
26 activities.
- 27 (6) Except when accompanied by a driver training instructor affiliated with a driver training

1 school licensed under KRS Chapter 332 or a public or nonpublic secondary school, a
2 person with an instruction permit who is under the age of eighteen (18) years shall not
3 operate a motor vehicle at any time when accompanied by more than one (1) unrelated
4 person who is under the age of twenty (20) years. A peace officer shall not stop or seize a
5 person nor issue a uniform citation for a violation of this subsection if the officer has no
6 other cause to stop or seize the person other than a violation of this subsection. This
7 subsection shall not apply to any operator of a vehicle registered under the provisions of
8 KRS 186.050(4) who is engaged in agricultural activities.

9 (7) A violation under subsection (4), (5), or (6) of this section, a conviction for a moving
10 violation under KRS Chapter 189 for which points are assessed by the cabinet, or a
11 conviction for a violation of KRS 189A.010(1) shall add an additional minimum of one
12 hundred eighty (180) days from the date of the violation before a person who is under the
13 age of eighteen (18) years may apply for an intermediate license to operate a motor vehicle,
14 motorcycle, or moped.

15 (8) A person under the age of eighteen (18) who accumulates more than six (6) points against
16 his driving privilege may have the driving privilege suspended pursuant to KRS Chapter
17 186 or probated by the court.

18 **(9) The Transportation Cabinet shall promulgate administrative regulations, in accordance**
19 **with KRS Chapter 13A, to establish procedures for:**

20 **(a) Minors who reside with individuals in informal guardianship arrangements to**
21 **have an adult who resides with them sign the minor's application and assume**
22 **responsibility in accordance with subsection (1) of this section;**

23 **(b) Individuals who have signed for responsibility under subsection (1) of this section**
24 **to rescind that assumption of responsibility;**

25 **(c) Notifying minors when an adult has rescinded responsibility under subsection (1)**
26 **of this section; and**

27 **(d) Allowing minors for whom an adult has rescinded responsibility under subsection**

1 *(1) of this section, to obtain a new signature of an individual assuming*
2 *responsibility without having to retake any examinations the minor has*
3 *successfully passed.*"; and

4 By amending the title to read "AN ACT relating to transportation and making an appropriation
5 therefor."
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Senate Members

House Members

Jimmy Higdon

Ken Upchurch

Brandon Storm

Buddy Wheatley

David Yates

Sal Santoro

Johnnie Turner

Robert Goforth

The above-named members, in separate votes by house, all concur in the provisions of this report.

DATE

March 30, 2021

For Clerk's Use:

Adopted: _____

Repassage Vote: _____